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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/053,558	01/24/2002	Simon G. Ingram	12086	3295

23599 7590 05/19/2005

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EXAMINER

SELBY, GEVELL V

ART UNIT PAPER NUMBER

2615

DATE MAILED: 05/19/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 10/053,558	<b>Applicant(s)</b> INGRAM, SIMON G.	
	<b>Examiner</b> Gevell Selby	<b>Art Unit</b> 2615	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

### Period for Reply

**A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.**

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 16 April 2002.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-7 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1 and 2 is/are allowed.
- 6) ☒ Claim(s) 3 is/are rejected.
- 7) ☒ Claim(s) 4-7 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 16 April 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>2/25/02</u> . | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

1. **Claim 3 is rejected under 35 U.S.C. 102(e) as being anticipated by Dinev et al, US 6,788,338.**

In regard to claim 3, Dinev et al, US 6,788,338, a method comprising steps of (1) operating a first sensor (103) of a camera to integrate a first charge over a first time interval (see column 4, lines 42-45 and column 5, lines 11-17: It is inherent the first sensor integrates the light received over a time interval in order to be able to scan the signals), (2) operating a second sensor (104) of the camera to integrate a second charge over a second time interval and (see column 4, lines 42-45 and column 5, lines 11-17: It is inherent the second sensor integrates the light received over a time interval in order to be able to scan the signals) (3) scanning the first and second sensors to readout the respective first and second charges during a third time interval (see column 4, lines 42-45), wherein:

the first time interval overlaps the second time interval (see column 5, lines 11-17: The first time interval and the second time interval overlap because they start at the same time when the light is received);

the third time interval includes no overlapping time with the first time interval (see column 4, lines 42-45: Both image sensors are scanned synchronously, so the third time period starts after both sensors have finished integrating); and

the third time interval includes no overlapping time with the second time interval (see column 4, lines 42-45: Both image sensors are scanned synchronously, so the third time period starts after both sensors have finished integrating).

*Allowable Subject Matter*

2. Claims 1 and 2 are allowed.
3. The following is a statement of reasons for the indication of allowable subject matter:

In regard to claims 1 and 2, the prior art does not disclose a camera with the combination of limitations claimed, specifically the limitations of:

“a rotatable structure disposed to define a rotation plane that is oblique to both the reflected axis and the direct axis, the rotatable structure having a first reflection sector, a first opaque sector disposed adjacent to the first reflection section, a first transmission sector disposed adjacent to the first opaque sector, a second reflection sector disposed adjacent to the first transmission sector, and a second transmission sector disposed adjacent to the second reflection sector” as claimed in claim 1.

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4. Claims 4-7 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

### *Conclusion*

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. US 2001/0030696 discloses a video camera with a rotating shutter with a transmitting section, an opaque section, and a reflecting section. US 5,764,285 discloses a camera with two image sensors and a rotating member. US 5,561,460 discloses a camera with multiple image sensors and a prism.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gevell Selby whose telephone number is 571-272-7369. The examiner can normally be reached on 8:00 A.M. - 5:30 PM (every other Friday off).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Groody can be reached on 571-272-7950. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

gvs



TUAN HO  
PRIMARY EXAMINER